

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

In re:

**ROBERT EDWIN JACOBSEN,

Debtor.**

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Case No. 07-41092

**TRUSTEE’S RESPONSE TO MOTION OF COUNTRYWIDE
HOME LOANS, INC. FOR RELIEF FROM STAY OF
ACTION AGAINST DEBTOR(S) PURSUANT TO 11 U.S.C. § 362(a)**

COMES NOW, Christopher J. Moser, the duly-appointed Trustee in the above-referenced Chapter 7 case, and files this his Response to *Motion of Countrywide Home Loans, Inc. Its Assigns and/or Successors in Interest (“Countrywide”) for Relief From Stay of Action Against Debtor(s) Pursuant to 11 U.S.C. § 362(a) and Waiver of Thirty Day Requirement Pursuant to § 362(e)* (the “Motion”), and respectfully shows the Court as follows:

1. The Trustee admits the allegations in paragraph 1 of the Motion.
2. The Trustee admits the allegations in paragraph 2 of the Motion, except that the case was converted pursuant to order of the Court effective November 21, 2007.
3. The Trustee is without sufficient knowledge to admit or deny the allegations in paragraph 3 of the Motion.
4. The Trustee is without sufficient knowledge to admit or deny the allegations in paragraph 4 of the Motion.
5. The Trustee is without sufficient knowledge to admit or deny the allegations in paragraph 5 of the Motion.
6. The Trustee is without sufficient knowledge to admit or deny the allegations in paragraph 6 of the Motion.

7. The Trustee denies the allegations in paragraph 7 of the Motion.

8. Paragraph 8 is a request for relief and requires no response from the Trustee.

Subject to the foregoing, the Trustee is without sufficient knowledge to admit or deny the allegations in paragraph 8 of the Motion.

9. The Trustee denies the allegations in paragraph 9 of the Motion.

10. Paragraph 10 is a request for relief and requires no response from the Trustee.

11. Paragraph 11 is a request for relief and requires no response from the Trustee.

Subject to the foregoing, the Trustee denies the allegations of paragraph 11 of the Motion.

12. The Trustee denies the allegations in paragraph 12 of the Motion.

13. Paragraph 13 is a request for relief and requires no response from the Trustee.

Subject to the foregoing, the Trustee denies the allegations of paragraph 13 of the Motion.

14. The Trustee further asserts that there is no cause for terminating, annulling, modifying, or conditioning the automatic stay, as the movant is adequately protected by an equity cushion in the Property. The Trustee has moved to employ a broker to negotiate a sale of the property which may pay movant's claim, if any, in full.

15. Further, though the Property is not necessary to an effective reorganization as this is a Chapter 7, there is equity in the Property which exceeds the maximum amount claimed by the movant in its Motion.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that Countrywide Home Loans, Inc.'s Motion be denied and for such other and further relief to which the Trustee is justly entitled.

DATED: August 5, 2008

Respectfully submitted,

SINGER & LEVICK, P.C.

By: /s/ Gabrielle A. Hamm
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ATTORNEYS FOR TRUSTEE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served on all parties who are registered or otherwise entitled to electronic notices in this case pursuant to the Electronic Filing Procedures in this District and to the parties listed below via United States First Class Mail, postage prepaid on this 5th day of August, 2008.

/s/ Gabrielle A. Hamm
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